

UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS

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IN RE PHARMACEUTICAL INDUSTRY  
AVERAGE WHOLESALE PRICE  
LITIGATION

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THIS DOCUMENT RELATES TO ALL  
CLASS ACTIONS

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) MDL No. 1456

) CIVIL ACTION: 01-CV-12257-PBS

) Judge Patti B. Saris

**PLAINTIFFS' PROPOSED TRACK TWO DISCOVERY SCHEDULE**

The Court's December 1, 2005, Order Re: Plaintiffs' Motion for Clarification of Case Management Order #16 directed the parties to "confer on a [Track Two] discovery schedule that makes sense and submit a joint and/or alternative schedule by December 9, 2005." As the Court directed, Plaintiffs and the Track Two Defendants have conferred and cannot agree on a schedule. Plaintiffs propose the following Track Two discovery schedule:

January 15, 2006	All electronic invoice data produced
January 30, 2006	All physician-administered documents produced
February 15, 2006	All 30(b)(6) depositions on invoice data completed
March 1, 2006	All oral drug documents produced
June 30, 2006	Close of Fact Discovery physician-administered drugs
August 1, 2006	Close of Fact Discovery on oral drugs
August 15, 2006	Plaintiffs file their expert reports on liability
September 15, 2006	Defendants file expert reports on liability
October 15, 2006	Completion of expert depositions
November 1, 2006	Plaintiffs' rebuttal expert report

DATED: December 9, 2005.

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**CERTIFICATE OF SERVICE**

I hereby certify that I, Steve W. Berman, an attorney, caused a true and correct copy of the foregoing, **PLAINTIFFS' PROPOSED TRACK TWO DISCOVERY SCHEDULE** to be delivered to all counsel of record by electronic service pursuant to Paragraph 11 of the Case Management Order No. 2, by sending on December 9, 2005, a copy to LexisNexis File & Serve for Posting and notification to all parties.

By           /s/ Steve W. Berman            
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